

December 9, 2003

William Diamond, Superintendent
Elan School
PO Box 578
Poland, ME
04274

Dear Superintendent Diamond,

Thank you for hosting us for the school approval follow-up visit conducted on August 19, 2003. During the visit, we interviewed students, teachers, residential staff, program directors and administrators.

As noted during our school approval visit:

1. There continues to be no indication that students enrolled in the Elan School are placed at risk for their safety or well-being;
2. There was no indication that any families or any other placement agencies have removed their children from the program based upon their concern for the safety or well- being of their child or client;
3. The Elan School continues the policy of not employing the "Ring" as a means of student discipline;
4. The wrist and ankle protective devises are used in only extreme situations where the student is in danger of injuring himself/herself or others. Since August 2002, the program administrators have reported every incident when the devices were used. The program administrators will report incidents to the school approval office in January and June;
5. Training programs are underway for the staff to become trainers in the safe use of passive physical therapeutic restraints;
6. The student handbook has been made available for all students including enrolled students and newly enrolled students;
7. Professional development plans for the education and residential staff have been developed and implemented. For example, some program staff are enrolled in MSW programs;
8. A technology plan is currently in the development stage;
9. The Elan School administrators have held discussions with the Departments of Corrections and Human Services regarding placement of youths who might be better served in the Elan program. A blueprint for a pilot program has been developed;

10. A handbook of policies and practices has been compiled and is being used with the residential staff;
11. Parent involvement opportunities have been increased at all stages of the program.

In summary, the education program at the Elan School continues to be in compliance with the basic school approval regulations for a special purpose private school.

In addition, we would like to thank you for meeting with us in Augusta on August 15, 2003, to discuss the issues regarding certification of the education staff. Chapter 101, Section 5.6, requires that appropriately certified special education teachers should provide instruction. As you noted, many of your teaching staff elected to receive conditional certification for the 2003-04 school year. This year Christine Bartlett has proposed setting the tuition rate based upon the number of staff who hold the appropriate certification against the enrolled special education population (from in and out of state) based upon actual allowable costs.

Looking ahead to next year, there are two choices to consider:

1. The DOE will set the tuition rate. Based on the special education rate setting process, unless there is a statutory change, all staff will be required to hold special education certification albeit conditional certification, in some cases.
2. If all the teaching staff does not hold the appropriate certification in the 2004-05 school year, then the DOE Management Information Systems will set the tuition rate based upon the actual per pupil cost or the state average whichever is the lesser.

We strongly recommend that you and the administration of the Elan School decide whether or not you wish to retain the title of special purpose private school and require all the teaching staff to hold special education certification. If not, you can elect to become a state approved private secondary school with a special education program. In this case, only the staff teaching students in the special education program would be required to hold special education certification.

Please feel free to contact one or both of us if you have any questions.

Thank you.

Sincerely,

Edwin N. Kastuck, Ph.D.
School Approval Services

David N. Stockford, Team Leader
Division of Special Services